

**IN THE DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN**

DEISY DAVILA BAUTISTA as personal
representative of the Estate of ANGIE
ZUE BROOKS and as Guardian of
JANNIEL BROOKS, a minor, (Baby
Brooks),

Plaintiffs,

v.

THE UNITED STATES OF AMERICA,
THROUGH ST. THOMAS EAST END
MEDICAL CENTER CORPORATION,
NACHET WILLIAMS-PRINCE, JOHN
DOE, JANE DOE and ABC CORP.,

Defendants

CIVIL NO. _____

ACTION FOR DAMAGES

JURY TRIAL DEMANDED

VERIFIED COMPLAINT

COME NOW Plaintiffs, **DEISY DAVILA BAUTISTA** as personal representative of the Estate of **ANGIE ZUE BROOKS** and as Guardian of **JANNIEL BROOKS**, a minor, (Baby Brooks), by and through undersigned counsel, and file their Verified Complaint against Defendants **THE UNITED STATES OF AMERICA, THROUGH ST. THOMAS EAST END MEDICAL CENTER CORPORATION, NACHET WILLIAMS-PRINCE, JOHN DOE, JANE DOE and ABC CORP.**, and allege the following:

1. This Court has jurisdiction over this matter pursuant to the Federal Tort Claims Act.
2. Plaintiff, Deisy Davila Bautista, is the Personal Representative of the Estate of Angie Brooks, who was a resident of St. Thomas, U.S. Virgin Islands.

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3. Deisy Davila Bautista is the Guardian of Janniel Brooks ("baby"), who was born in the U.S. Virgin Islands, but for his injuries, he would still reside in the Virgin Islands.
4. At all times material, Defendants, John Doe/Jane Doe, are individuals, said names being fictitious, but the party intended being one who contributed to Angie Brooks and baby Brooks injuries and damages, and are negligent parties unknown to Plaintiffs, that caused injuries to Plaintiffs.
5. Angie Brooks was 32 years old at the time she came to the Roy Lester Schneider Hospital Emergency Room and was admitted to the hospital.
6. Angie Brooks spoke Spanish and only had limited understanding of English.
7. Angie Brooks was hospitalized at Ashford Presbyterian Community Hospital in San Juan, Puerto Rico, where she was transferred and evacuated after Hurricane Irma struck St. Thomas, Virgin Islands. Prior to that Angie was continuously hospitalized at Virgin Islands Government Hospitals and Health Facilities Corporation as Representative of Roy Lester Schneider Hospital from the date of her admission to Hospital on January 28, 2017 until the date she was evacuated after Hurricane Irma. On October 30, 2019, Angie Brooks died from her injuries.
8. Angie Brooks was in a permanent vegetative state since January 28, 2017.
9. At all times material hereto St. Thomas East End Medical Center Corporation (which was upon information and belief, called "East End Health Center" on the date of the incident) was, according to the U.S. Government, a Federal Facility, and provided medical services to people of the Virgin Islands. It was known as

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“East End Clinic” at the time of the incidents, and will be referred to as “East End Clinic” for the remainder of this complaint.

10. At all times material hereto Defendant Nachet Williams-Prince (hereafter “Williams-Prince”) was a resident and citizen of the United States Virgin Islands.
11. At all times material hereto East End Clinic employed Williams-Prince as a physician’s assistant.
12. At all times material hereto, including but not limited to January 26, 2017, Williams-Prince rendered medical treatment to Angie Brooks while Angie Brooks was being treated at East End Clinic during her pregnancy with baby Brooks.
13. On or about July 11, 2016, Angie Brooks underwent an obstetrical examination at East End Clinic to obtain “supervision of normal pregnancy, first trimester”.
14. Upon information and belief, July 11, 2016 was the first date that Angie Brooks was examined by medical professionals concerning her pregnancy with baby Brooks.
15. During 2016 and 2017 Angie Brooks was examined and treated by Williams-Prince, and physicians, physician assistants and employees of East End Clinic regarding her pregnancy with baby Brooks.
16. Prior to January 26, 2017, during its obstetrical treatment of Angie Brooks during her pregnancy with baby Brooks, East End Clinic did not note anything remarkable about Angie Brooks’ medical condition, with the exception of noting that Angie Brooks had a rash on February 29, 2016, and that Angie Brooks had nausea with vomiting on October 6, 2016.

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17. On January 26, 2017, during an obstetrical examination of Angie Brooks at East End Clinic, Williams-Prince noted that Angie Brooks had "Elevated Blood pressure reading, without diagnosis of HTN" (hypertension).
18. On January 26, 2017 Williams-Prince entered a Progress Note concerning Angie Brooks, after Williams-Prince examined Angie Brooks, which note indicated that Angie Brooks was 36 weeks, 5 days of gestation, fetal movement was present, preterm labor signs were positive, Angie Brooks' initial blood pressure was 151/95 and the follow up blood pressure was 143/89.
19. The Progress Notes written by Williams-Prince and referenced immediately above also note in the comments: "Admits to pelvic pressure, denies headaches, send to L&D (Labor and Delivery) for evaluation." The Progress notes referenced in this paragraph, and the preceding paragraph, were entered on January 26, 2017 at 2:24pm.
20. The Plan on the Progress notes indicate: Follow-up visit 1 week (s): Established Patient. Request consultation by specialist Labor and Delivery, Obstetrics and Gynecology Order Comments: 32 y.o. G8 P2052 at 36 5/7 weeks gestation. EDD 02/18/17. Patient with elevated blood pressure of 151/95 and 100+ proteinuria. Please evaluate for preeclampsia.
21. East End Clinic records for January 26, 2017, do not indicate that Williams-Prince, or any other employee of East End Clinic, advised Angie Brooks that her high blood pressure combined with protein in her urine indicated that Angie Brooks had a condition called "preeclampsia". This is a condition which is potentially fatal.

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22. "Proteinuria", which was noted on East End Clinic Note from January 26, 2017, is a medical condition in which abnormal quantities of protein are in the urine, which could indicate kidney damage, and which is also a classic sign of preeclampsia.
23. East End Clinic records for January 26, 2017 do not indicate that Williams-Prince, or any other employee of East End Clinic, advised Angie Brooks that it was very important for Angie Brooks to be promptly evaluated for preeclampsia, at the Clinic or at a Hospital, despite the fact that Angie Brooks had high blood pressure and her urine test showed protein, and Angie Brooks had a history of at least one prior pregnancy, where Angie Brooks had pregnancy induced hypertension. This should have indicated to Williams-Prince and East End Clinic that Angie Brooks was at high risk for preeclampsia, and an immediate consultation with Labor and Delivery, or the obstetrician should have been arranged.
24. The January 26, 2017 record does not indicate that Williams-Prince, any employee of East End Clinic, or any person whatsoever, informed Angie Brooks of her medical condition, or explained to Angie Brooks in Spanish what her medical condition was, and that immediate delivery of baby Brooks was the only way to lower her blood pressure if she had preeclampsia.
25. East End Clinic's most recent website includes information that:

Demographic statistics also show that the center is marked by a substantial representation of young women and children; the characteristic patient mix includes immigrants from other Caribbean islands and elsewhere who are often estranged by linguistic and cultural barriers. [Emphasis added by Plaintiff.]

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26. Upon information and belief, from its inception as East End Health Center, East End Clinic has always served low income, medically underserved, and underserved members of the St. Thomas community, which community members are, as set forth in the website, “often estranged by linguistic and cultural barriers”, which description fits Angie Brooks at the time she sought treatment for her pregnancy with baby Brooks.
27. East End Clinic records for January 26, 2017 do not indicate that Williams-Prince, any employee of East End Clinic, or any person whatsoever, informed Angie Brooks in Spanish that given her medical history of past pregnancy induced hypertension, her high blood pressure, and protein in her urine, that her life and the life of her unborn baby were in danger.
28. Upon information and belief, Angie Brooks experienced high blood pressure in at least one prior pregnancy, also known as “pregnancy induced hypertension”, which information Williams-Prince, and/or employees, and/or staff of East End Clinic, knew or should have known.
29. Angie Brooks’ prior history of pregnancy induced hypertension should have alerted Williams-Prince, East End Clinic, and other employees and Staff of East End Clinic, that Angie Brooks should be closely monitored for pregnancy induced hypertension, and if Angie Brooks exhibited high blood pressure during her pregnancy, that Angie Brooks needed immediate medical attention, treatment, and care.

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30. East End Clinic medical records of Angie Brooks do not have any notation or warning that Angie Brooks was, or could be at, high risk for pregnancy induced hypertension and for preeclampsia.
31. Preeclampsia is a pregnancy complication characterized by high blood pressure and signs of damage to another organ system, most often the liver or kidneys. Preeclampsia usually begins after 20 weeks of pregnancy in women whose blood pressure had been normal. Left untreated, preeclampsia can lead to serious — even fatal — complications for the mother and baby. The most effective treatment is delivery of the baby.
32. Williams-Prince, East End Clinic, Jane/John Doe, agents and employees of East End Clinic, and its staff, knew or should have known that Angie Brooks understood only some English, but that her primary language was Spanish.
33. Williams-Prince, East End Clinic, Jane/John Doe, agents and employees of East End Clinic and its staff, should have made certain that Angie Brooks understood the serious nature of her condition: to wit: pregnancy induced hypertension, protein in her urine and probable preeclampsia, and arranged for an immediate consultation with Labor and Delivery, or an obstetrician.
34. Williams-Prince, East End Clinic, Jane/John Doe, agents and employees of East End Clinic and its staff, failed to inform and/or adequately inform Angie Brooks of her medical condition, and of the possible medical repercussions to Angie Brooks and baby Brooks, that could result if the condition was not promptly treated.

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35. As a direct result of Williams-Prince, East End Clinic, Jane/John Doe, agents and employees of East End Clinic and its staff's, failure to inform, and/or adequately inform Angie Brooks of her medical condition, and of the possible medical repercussions to Angie Brooks and baby Brooks, and failure to properly monitor, consult, and treat that condition, Angie Brooks suffered cardiac arrest and massive bleeding, which resulted in permanent brain damage and baby Brooks was deprived of oxygen while inside Angie Brooks' birth canal, at which time baby Brooks suffered severe and permanent and life threatening injuries to his brain and body.
36. As a result, Angie Brooks and Baby Brooks suffered medical expense, loss of income, loss of capacity to earn income, pain and suffering, mental anguish and loss of enjoyment of life, that lasted as to Angie Brooks, until her death, and as to Baby Brooks into the foreseeable future.

WHEREFORE, Plaintiffs pray for damages as they may appear, compensatory and punitive, costs and fees, pre-and post-judgment interest, and such other relief as this Court claims fair and just.

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LEE J. ROHN AND ASSOCIATES, LLC
Attorneys for Plaintiffs

DATED: January 20, 2021

BY: /s/ Lee J. Rohn
Lee J. Rohn, Esq.
VI Bar No. 52
1108 King Street, Suite 3 (mailing)
56 King Street, Third Floor (physical)
Christiansted, St. Croix
U.S. Virgin Islands 00820
Telephone: (340) 778-8855
Fax: (340) 773-2954

LAW OFFICE OF JULIE GERMAN EVERT
Co-Counsel for Plaintiffs

DATED: January 20, 2021

BY: /s/ Julie German Evert
Julie German Evert, Esq.
5143 Palm Passage, Ste. 10A
St. Thomas, VI 00802
Telephone: (340) 774-2830
Fax: (340) 774-2803

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VERIFICATION

I, **DEISY DAVILA BAUTISTA** as personal representative of the Estate of **ANGIE ZUE BROOKS** and as Guardian of **JANNIEL BROOKS**, a minor, (Baby Brooks), being duly sworn, state I have read the allegations contained in the foregoing **VERIFIED COMPLAINT** and know them to be true and correct to the best of my knowledge and belief.

Date: 02/02/2021

Deisy Davila B.

DEISY DAVILA BAUTISTA as Personal Representative
of the Estate of ANGIE ZUE BROOKS and as
Guardian of JANNIEL BROOKS, a minor, (Baby
Brooks)

Passport No AT572991

SUBSCRIBED AND SWORN to before
me this 2 day of February, 2021.

[Signature]

NOTARY PUBLIC





PASAPORTE
PASSPORT

P COL AT572991

DAVILA BAUTISTA

DEISY
Nacionalidad : Nationality

COLOMBIANA
Fecha de nacimiento / Date of birth: _____
Núm. personal / Personal No.: _____

27 SEP/SEP 1964 CC31916614

Lugar de nacimiento : Fátima de Arina

F CALI COL
Fecha de expedición / Date of issue

02 FEB/FEB 2017
Fecha de vencimiento / Date of expiry

02 FEB/FEB 2027

Autoridad: Authority
G. VALLE
Firma del titular: holder's signature

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